

## **PLANNING COMMISSION MINUTES**

**December 8, 1999**

**CALL TO ORDER:**

Chairman Maks called the meeting to order at 7:00 p.m. in the Beaverton City Hall Council Chambers at 4755 SW Griffith Drive.

**ROLL CALL:**

Present were Chairman Dan Maks; Planning Commissioners Charles Heckman, Eric Johansen, Don Kirby, Sharon Dunham, Vlad Voytilla. Tom Wolch was excused.

Staff was represented by Senior Planner Alan Whitworth, Associate Planner Jeff Salvon, Assistant City Attorney Ted Naemura, and Recording Secretary Cheryl Gonzales.

### **OLD BUSINESS**

#### **Continuances**

#### **PUBLIC HEARINGS**

Chairman Maks opened the public hearing and read the format for the meeting. There were no disqualifications of the Planning Commission members. No one in the audience challenged the right of any Commissioner to hear any of the agenda items.

**A. CPA98-00011 and TA99-00010 - ANNEXATION POLICY.**

*(Continued from September 15, 1999)*

The proposed amendments implement Periodic Review Order #00717 (formerly WO#00628), Work Tasks #2 and #12. These amendments would update the City's Comprehensive Plan and Zoning Code to reflect changes in City policies, regional mandates and state law relating to municipal annexations and urban service delivery. Specifically, CPA98-00011 may result in modifications to sections 1.2 through 1.3 (Comprehensive Plan Amendment Procedures Element), sections 2.4 through 2.6 (Public Involvement Element), 3.10 through 3.11 (Land Use Element), sections 5.4 through 5.9 (Public Services Element), and related sections of the Comprehensive Plan. TA99-00010 may result in

modifications to sections 10.4, 40.40, 40.50, 40.75, 40.90 and other sections of the Development Code.

The Staff Report was presented by Mr. Alan Whitworth who requested a continuance to February 16, 2000. He stated they had received a letter from Tualatin Hills Park and Recreation the day of the meeting and would include it in their packet.

Commissioner Heckman asked if the Staff Report of February 16, 2000, would make the present report completely obsolete as it had references to Boundary Commission actions, etc. Mr. Whitworth replied the Commission would be receiving a new Staff Report. Commissioner Heckman asked when the Boundary Commission went away. The answer was last year.

Commissioner Heckman MOVED and Commissioner Dunham SECONDED a motion to continue CPA98-00011 - ANNEXATION POLICY, to a date certain of February 16, 2000.

The question was called and the motion CARRIED unanimously.

Commissioner Heckman MOVED and Commissioner Kirby SECONDED a motion to continue TA99-00010 - ANNEXATION POLICY, to a date certain of February 16, 2000.

The question was called and the motion CARRIED unanimously.

### **NEW BUSINESS:**

#### **A. CPA99-00004 - TRI-MET R.O.W. PROPERTIES COMPREHENSIVE PLAN MAP AMENDMENT**

A proposal to correct a scrivener's error discovered in the staff report for one parcel in the recently approved Comprehensive Plan Amendment. The error can be described as a discrepancy between the report text and the exhibit map used to describe the plan designation applied to a piece of property (1S101CD01101). The Planning Commission will consider adopting a revised exhibit map to modify the original land use order (#1240) so that the exhibit map accurately reflects the original recommendation.

The Staff Report was given by Mr. Jeff Salvon, Associate Planner. Commissioner Dunham on page 1, of the Land Use Order, in the body of it, third line, stated, "The action involved fifteen (46) parcels." Mr. Salvon stated that should correctly read forty-six, not fifteen.

Commissioner Kirby addressed the fact that the action was to fix a scrivener error and asked how it occurred? Mr. Salvon answered there had been some correspondence some time ago with some of the people in the condominiums or apartments behind this parcel,

who were very concerned about the future of this property once it had been condemned for the sake of putting in the light rail. They had fought with Tri-Met as it had been their objective to turn the property into a park. They had wanted Tualatin Valley Parks and Recreation to purchase the parcel. At the time the comprehensive plan amendment and rezone was being considered, Mr. Salvon had received a large number of phone calls from those people. He had advised them that he would try to devise an argument where the City could possibly apply the schools and parks comprehensive plan designation to that piece, if there were indeed sensitive resources on it. However, he advised that any recommendations would have to conform with the terms of the UPAA. In similar situations, where a property had been zoned institutional by the county, an argument had been made that because the city does not have a corresponding zone that could be applied, the schools and parks designation was a practical alternative. However, the property involved in the scrivener's error had been zoned residential by the county and as such was required to be reclassified to the City's corresponding residential designation. Therefore, there was no basis for an argument of this nature and the terms as set forth in the UPAA had to be adhered to. Recognizing this fact, Mr. Salvon had changed the text, but neglected to change the map. That is where the scrivener error occurred.

Commissioner Kirby commented that it had been an oversight. He asked if, within the planning department, was there a process by which these things were reviewed to detect these kinds of inconsistencies? Mr. Salvon answered there was. But this got past it. Commissioner Kirby asked as a result of this, has there been and reconsideration or adjustment in the process due to the extra work, time and cost to the City? Were they any procedural changes with regard to how these were reviewed? Mr. Salvon answered nothing substantial; at the time this occurred, the City was going through some staffing changes which had added to some of the confusion. He stated this was actually brought all the way back to the planning commission on Mr. Naemura's recommendation, primarily because this piece of property was being purchased, he thought, by the cemetery people next door. It was basically a safety measure, otherwise it could have been processed differently.

Chairman Maks asked if there were any further questions. There being no members of the public in the audience to address this application, this portion of the hearing was closed.

Commissioner Kirby MOVED and Commissioner Johansen SECONDED a motion to approve CPA99-00004 - TRI-MET RIGHT-OF-WAY PROPERTIES COMPREHENSIVE PLAN MAP AMENDMENT, as meeting the criteria as indicated in the Staff Report dated December 8, 1999.

The question was called and the motion CARRIED unanimously.

### **Nomination of Officers**

Commissioner Heckman asked for an opportunity to discuss a new business item-- Chairman and Vice Chairman for the year 2000 for the City of Beaverton Planning Commission. Commissioner Heckman read his letter addressed to the Commission into the record. With Chairman Maks' consent, Commissioner Heckman offered Dan Maks name as candidate for the Chairman of the Beaverton Planning Commission for the year 2000.

Chairman Maks ACCEPTED the nomination and Commissioner Kirby SECONDED Commissioner Heckman's nomination of Dan Maks for Chairman of the City of Beaverton Planning Commission for the year 2000.

Commissioner Heckman NOMINATED and Commissioner Johansen SECONDED Commissioner Vlad Voytilla as Vice Chairman of the City of Beaverton Planning Commission for the year 2000, with his consent. Commissioner Voytilla so consented.

Commissioner Heckman also thanked Commissioner Johansen for the work he had done as Vice Chairman and would hope that in the future he would have leave to reconsider stepping up as a candidate for office within the Planning Commission.

Commissioner Heckman MOVED that the nominations not be closed, but be held open for one week with the elections to be held at the December 15, 1999 meeting. Chairman Maks stated the nominations would not be closed and a vote would be taken at the next meeting.

### **MINUTES:**

Chairman Maks asked about changes, corrections to the minutes of November 3, 1999.

Commissioner Kirby MOVED and Commissioner Voytilla SECONDED a motion to approve the minutes of November 3, 1999, as amended.

The question was called and the motion CARRIED unanimously.

Meeting **ADJOURNED** at 7:35 p.m.